

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: FACEBOOK, INC. CONSUMER
PRIVACY USER PROFILE LITIGATION,

This document relates to:

ALL ACTIONS

MDL NO. 2843

CASE NO. 3:18-MD-02843-VC-JSC

HON. VINCE CHHABRIA
HON. JACQUELINE SCOTT CORLEY
COURTROOM 4 – 17TH FLOOR
SPECIAL MASTER, DANIEL GARRIE, ESQ.

**ORDER FOLLOWING FEBRUARY 14,
2022 MEDIATION SESSION**

ORDER

Following the mediation session held on February 24, 2022, the mediators find that the parties are at an impasse and require briefing on the following two issues: (1) Whether Facebook will search for and produce documents related to Protiviti's audit and (2) Disputed assertions of privilege made by Facebook.

No later than February 16, 2022, at 12 p.m. PT, the parties are to submit an updated spreadsheet identifying the issues, including the elements outlined in the amended discovery protocol. For issue #2 above, each party is to include the following information in the spreadsheet: (1) definitions of the initial privilege categories the parties want to brief; (2) the briefing protocol sought if different from the protocol outlined in the order; (3) and the proposed process by which the Special Master should review the privilege document sample. The parties must also simultaneously submit a summary spreadsheet that indicates the number of documents at issue in each category.


No later than February 17, 2022, the parties jointly are to notify the FTC and Protiviti of issue #1 above and the relevant deadlines.

The briefing schedule for issue #2 above is extended to February 25, 2022, at 2 p.m. PT.

Going forward, the prevailing party on an issue for which the Special Master has issued a ruling is to file the Special Master's order on such issue with the court within one week of the Special Master issuing the order.

IT IS SO ORDERED.

February 15, 2022


Daniel Garrie
Discovery Special Master